

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**BRIAN KOPATZ**

**Plaintiff**

v.

**JOHN DOE, ET AL.**

**Defendants**

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**Case No. 5:22-cv-156**

**ORDER DENYING MOTION FOR INJUNCTIVE RELIEF**

Plaintiff Brian Kopatz, proceeding *pro se*, filed the above-styled and numbered civil action under 42 U.S.C. § 1983 complaining of alleged violations of his constitutional rights. Docket No. 1. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

Plaintiff filed a motion for injunctive relief concerning the medical care he is receiving at the Connally Unit of the Texas Department of Criminal Justice, Correctional Institutions Division. Docket No. 17. On January 31, 2024, the Magistrate Judge issued a Report recommending that the motion for injunctive relief be denied. Docket No. 20. Plaintiff did not file objections to this Report; instead, he filed a motion stating that he had no objections to the Report and asking that his motion for injunctive relief be withdrawn. Docket No. 24.

Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge's proposed findings, conclusions and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at \*1 (E.D. Tex. July 31, 2021).

The Court has reviewed the Plaintiff's pleadings and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is

**ORDERED** that the Report of the Magistrate Judge (Dkt. No. 20) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the Plaintiff's motion for injunctive relief (Docket No. 17) is **DENIED**. The denial of this motion shall not affect the Plaintiff's right to pursue whatever claims he may have against prison officials at the Connolly Unit in the U.S. District Court for the Western District of Texas, San Antonio Division, the district and division where the Connally Unit is located. It is further

**ORDERED** that the Plaintiff's motion to withdraw his request for injunctive relief (Docket No. 24) is **DENIED-AS-MOOT**.

So ORDERED and SIGNED this 12th day of March, 2024.

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE